

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

GOY T. BICHIOK,

Petitioner,

v.

S. LOBATO, Acting Assistant Field  
Office Director, et al.,

Respondents.

CASE NO. C13-994 MJP

ORDER ADOPTING REPORT AND  
RECOMMENDATION ON MOTION  
TO DISMISS FOR LACK OF  
VENUE OR, IN THE  
ALTERNATIVE, FOR CHANGE OF  
VENUE

THE COURT has reviewed Petitioner's petition for writ of habeas corpus (Dkt. No. 5), Respondents' Motion to Dismiss for Lack of Venue or, in the Alternative, for Change of Venue to the Northern District of Alabama (Dkt. No. 15), the Report and Recommendation of Magistrate Judge James P. Donohue (Dkt. No. 17), Petitioner's Objections (Dkt. No. 18), Respondents' Response (Dkt. No. 19), and all related documents in the record. In light of this review, the Court adopts the Report and Recommendation.

Petitioner is currently a detainee of the United States Immigration and Customs Enforcement ("ICE") in Gadsen, Alabama. He filed this pro se petition for a writ of habeas

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1 corpus pursuant to 28 U.S.C. § 2241. He filed in the Western District of Washington because he  
2 was ordered to be detained by immigration officials in Tacoma, Washington. But the proper  
3 venue for a § 2241 habeas petition is the district of confinement. Rumsfeld v. Padilla, 542 U.S.  
4 426, 446 (2004).

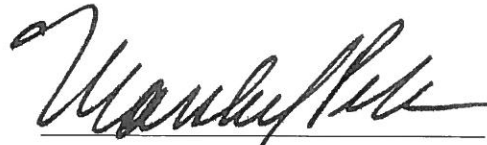
5 Therefore, the Court does hereby find and ORDER:

6 (1) The Court adopts the Report and Recommendation;

7 (2) Petitioner's case is transferred to the District Court for the Northern District of  
8 Alabama.

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10 The clerk is ordered to provide copies of this order to all counsel.

11 Dated this 6th day of October, 2013.

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14 Marsha J. Pechman  
United States District Judge